ANDOVER BOARD OF HEALTH Minutes September 16, 2013, 6:00 P.M. CD&P First Floor Conference Room 36 Bartlet Street

The Board of Health Meeting was called to order at 6:00 p.m. Present were Ms. Candace B. Martin, Chairman, Ms. Katherine Kellman, Vice-Chairman, Dr. Gopala K. Dwarakanath, Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

I. Approval of Minutes

• February 1, 2012 (Executive Session)

Motion by Ms. Martin, seconded by Ms. Kellman, to continue the approval of the Minutes of February 1, 2012, Executive Session, for six months due to ongoing litigation, and to be reviewed at the March 2014 Board of Health Meeting, Unanimous Approval.

• August 12, 2013

Motion by Ms. Martin, seconded by Ms. Kellman to approve the Minutes of August 12, 2013. Unanimous approval.

II. Appointments & Hearings

• 6:00 p.m. – John Grasso for 55 Harold Parker Road – Show Cause Hearing to Repair Failed Septic System – Mr. Carbone informed the Board that Mr. Grasso still hasn't repaired his failed septic system. The Board expected Mr. Grasso to appear this evening, but he was not present. Mr. Grasso had a partner that bought the property with the intention of subdividing it, but that did not happen. When Mr. Grasso bought out the partner, he did not realize it was a failed system. Mr. Grasso has tenants in the house and he thinks the system is working fine and disputes that it is a failed system. Mr. Grasso wanted to have a new Title V inspection performed thinking that the system would pass the inspection. Ms. Martin asked Mr. Carbone if the Board could allow another Title V inspection if Mr. Grasso showed records that the system was maintained by pumping. Mr. Carbone told the Board that he has reservations when another Title V inspection is done after a failure is identified because sometimes it is just an attempt to find someone who will pass the inspection.

Mr. Carbone informed the Board that it could continue the Hearing, take the issue to Housing Court, or condemn the house. Since this is an occupied facility a public hearing would be needed to condemn the house. Ms. Martin stated that Mr. Grasso would have to find his tenants suitable housing and therefore may take this situation more seriously. Dr. Dwarakanath stated that Mr. Grasso seemed to be taking this lightly, since he did not show up tonight. Ms. Martin stated that she would like to schedule a Condemnation Hearing for the next Board of Health Meeting in October.

Motion by Dr. Dwarakanath, seconded by Ms. Martin, to schedule a Condemnation Hearing for the October 21, 2013 Board of Health Meeting. Unanimous approval.

• 5 Oak Street Septic System Failure Show Cause Hearing Canceled (not on Agenda – Letter in the Correspondence part of the packet) – Mr. Carbone explained to the Board that he originally scheduled a Show Cause Hearing for the failure of the septic system serving this property, but removed it from the agenda after an attorney for the mortgage company contacted him. Mr. Carbone spoke to an attorney representing the Mortgage Company who said that they planned to comply with the sewer connection order, and requested 30 days to complete the work. Mr. Carbone suggested they take 60 days, but required a contract to be signed before 30 days or they would have to appear before the Board in October.

III. <u>Discussion</u>

N/A

IV. <u>Definitive Subdivision Plans</u>

• Belvidere Hill Circle - Mr. Carbone explained to the Board that the original name for this subdivision was Gemini Circle, and that the subdivision plan was withdrawn a couple of months ago. The Board of Health had previously denied the plans, so new plans have been drawn up and the subdivision has been renamed Belvidere Hill Circle. The Deep Hole and Perc testing for this property showed good material. There had been earlier concerns about the design of the detention pond with the steep slope and tall headwall. They have redesigned the plans to have the retention pond be located in chambers underground which should be safer and work well. The existing house in the front of the property will be razed. The water will be looped over to Knollcrest Drive using the utility easement on the plan. The design of the retention area has been changed, but the grading was not changed on one sheet, so that will be a condition for approval.

Motion by Ms. Martin, seconded by Ms. Kellman, to approve the Subdivision Definitive Plans for Belvidere Hill Circle with the following conditions:

- A. Sheet 4 of the packet must show revised grading around the cul-de-sac and the retention area to match the grading shown on Sheets 5 and 6.
- B. Any modification, amendment, or change to the above-cited Definitive Plan shall be submitted as a new or modified Definitive Plan in accordance with the provisions of MGL Chapter 41, Section 81U.
- C. Subject to Conservation Commission approval of the above dated plan by Order of Conditions or Negative Determination.

Unanimous approval.

V. Plan Review

- DWRP Variances/Local Upgrade Approval
 - LUA for 13 Samos Lane Allow SAS to be 18' from Foundation where 20' is Required; allow SAS to be 4' above the Water Table, where 5' is Required Mr. Carbone explained that work will not get done until they have a buyer, but they are asking the Board to approve the LUA's in the meantime. The existing system is in the back of house, but there are wetlands there, so the system needs to go in front yard and they have raised the plumbing as high as they can.

Motion by Ms. Martin, seconded by Ms. Kellman to approve the LUA's for 13 Samos Lane to allow the SAS to be 18' from the foundation where 20' is required and to allow the SAS to be 4' above the water table, where 5' is required. Unanimous approval.

VI. Staff Reports

A. Director's Reports:

- Important Dates:
 - ° October 19, 2013 Fire Department Open House
 - October 21, 2013 at 6 p.m. Board of Health Meeting
 - ° October 23, 24, and 25, 2013 MHOA Conference
 - ° November 18, 2013, Board of Health Meeting
- Update on Mosquitoes (not on Agenda) Mr. Carbone explained that the Methuen risk category for West Nile Virus (WNV) was increased because of the number of positive cases in the mosquito pools. Mr. Carbone provided the Board with a copy of the Mass. Dept. of Public Health Arbovirus Surveillance Program Report. The area along the New Hampshire border into Haverhill and Methuen is listed as moderate risk, but Andover is still listed as low. We will now start having cooler nights, which decreases mosquito activity. The risk goes away after the first hard frost which is usually in October.
- **Flu Clinic Update** Mr. Carbone explained that we have several different kinds of flu vaccine. We have high-dose, nasal mist, trivalent, and quadravalent. The Nurses will be vaccinating the students in the schools in October along with School Nurse Rita Casper and her staff. The Public clinics will be on November 7th at the West Middle School and November 18th at the Senior Center. The Town costs are offset by money reimbursed from billing. We always billed Medicare,

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¹ The Mass. Dept. of Public Health Arbovirus Surveillance Program Report has been inserted in the Agenda Packet after page 18.

but now other Insurance Companies can also be billed. This reimbursement money helps to pay for the next year's vaccine.

- Shingles Vaccinations Mr. Carbone stated that the Nurses also have Shingles Clinics where they provide vaccine to Senior residents through a Grant from the Andover Home for Aged People and that the Grant covers the entire cost of the vaccine purchase. We collect \$10 from each person for a little of the overhead costs.
- B. **Nurses' Reports for August, 2013** The Nurses' Report for August, 2013, will be in the October Agenda Packet.
- C. **Inspectors' Reports for August, 2013** The Inspectors' Reports for August, 2013 were for informational purposes only.

VII. Board Member Reports

• October is Breast Cancer Awareness Month – Breast Cancer Awareness Program (not on Agenda) – Ms. Martin informed the Board that she talked to a person at the YWCA who told her that they were just kicking off their planning session, and they have a set structure with a lot of their activities during the week. She is still waiting to hear back from another person who was on vacation. Dr. Dwarakanath went over what the Board is planning to do for the Breast Cancer Awareness Program. First there will be a discussion lead by Jill Steinkeler who is a doctor at Lowell General Hospital. She will discuss breast cancer facts and risk factors, as well as the different screening methods so that she can help with misgivings many women have. There will be slide presentations, talk about recent trends in treatment and risk evaluation. Dr. Kimberly Brennan, Oncologist, will speak about the latest treatments for breast cancer.

Discussion followed concerning where the information session and the screenings will be. The Board decided that using a Town facility for the presentation would be the best to attract more people, so the Public Safety Center was picked for the information session on Tuesday, October 15, 2013. However, the Chinmaya Mission was chosen for the screenings because the facility will allow for more privacy, and the screenings will be done on October 26, 2013. At the screening gowns will be available, there will be a nurse to help people get ready, and two doctors who will be available for the screenings. The Doctors will go from room to room to make a determination if things appear normal or if a follow-up mammogram should be done.

The Health Division will take names of people who are interested in attending the screening by phone or e-mail, and will accommodate approximately 70 people. Dr. Dwarakanath offered the use of Lowell General Hospital advertising fees to contribute to some of the advertising costs. The Program will be advertised in the Andover Townsman and the Eagle Tribune.

Dr. Dwarakanath asked the Board to consider more discussion and screenings in the future such as Colon Cancer screenings and HPV screenings for High School students.

VIII. Adjournment

Motion by Ms. Martin, seconded by Ms. Kellman, to adjourn at 7:08 p.m. Unanimous approval.